



## CITY OF SAN JOSE, CALIFORNIA

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CIVIL SERVICE  
COMMISSION  
Bill Brill, Chair  
Joan Smith, Vice Chair  
Margaret Akdeniz  
Holden Green  
Roy Truitt

### CIVIL SERVICE COMMISSION Minutes of the Commission January 29, 2013

The Civil Service Commission of the City of San José convened on January 29, 2013, in Room W262, San José City Hall, at 6:12 p.m.

PRESENT: Commissioner Akdeniz, Brill, Smith, Truitt and Green  
ABSENT: None

Presiding Officer Akdeniz stated this meeting had been called to order to hear the appeal of a sixteen (16) hour suspension of Bob Nelson, Electrician in the Department of Environmental Services. It was determined that the appellant, representing himself; Deputy City Attorney Richard North, representing the respondent, City of San José; and Ashwini Kantak, Assistant Director of the Environmental Services Department, were present, and all parties were ready to proceed.

Testimony was heard from James Perez and Sammy Aguirre.

At 7:17 p.m., the Commission recessed and reconvened at 7:26 p.m., with Commissioners Akdeniz, Brill, Smith, Truitt and Green present.

Testimony was heard from Heather Cornwell, Kelly Trevillian, and Ruben Torres. Attorney North entered into evidence Exhibits 6, 7, 8 and 9.

At 8:42 p.m., the Commission recessed and reconvened at 9:00 p.m., with Commissioners Akdeniz, Brill, Smith, Truitt and Green present.

Testimony was heard from William Burnett, Sammy Aguirre who returned to testify for a second time, Phil Wolz and Bob Nelson. Presiding Officer Akdeniz stated for the record that Mr. Nelson left the hearing prematurely disallowing the Commissioners and City Attorney North the opportunity to question him as a witness.


The Commission entered into closed session at 9:49 p.m., to deliberate. The Commission reconvened at 10:15 p.m., with Commissioners, Brill, Smith, Akdeniz, Truitt and Green present.

Presiding Officer Akdeniz stated for the record that she met with Mr. Nelson in the hallway prior to deliberation. Against the advice of the Presiding Officer, Mr. Nelson refused to return to the hearing to continue, to participate or to be party when the opinions were rendered by the Commissioners. The Commission voted unanimously to sustain Charges 1, 2, 3 and 5 in full. The Commission voted to unanimously overturn Charges 4 and 6. The Commission voted to uphold the discipline of Bob Nelson.

  
MARGARET AKDENIZ, Presiding Officer

ATTEST:

CIVIL SERVICE COMMISSION  
TONI J. TABER, SECRETARY

  
Rebecca Hall, Deputy Secretary